

The Examiner has based the restriction requirement in part on his conclusion that Nikawa et al. anticipates claim 1. It is noted that Applicants have amended claim 1 to clarify the invention. The present invention relates to genes of *C. elegans*, rat, human and mouse, that is, living organisms having cholinergic neurons, which encode a protein having high-affinity choline transporter activity, whereas the cited art, Nikawa et al. discloses only a choline transport gene from the yeast *Saccharomyces cerevisiae*, living organisms that have no cholinergic neurons. It is respectfully submitted that amended claim 1 is thus not anticipated by Nikawa et al. Based upon these facts, the present invention, at least Groups I, II, III, and IV are submitted to be so linked as to form a single general inventive concept under PCT Rule 13.1. Reconsideration and withdrawal of the restriction requirement with respect to these groups is respectfully requested.

Early and favorable action in the application is respectfully requested.

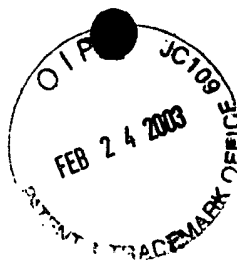
Respectfully submitted,

Date: February 24, 2003



Ann S. Hobbs
Registration No. 36,830
VENABLE
P.O. Box 34385
Washington, D.C. 20043-9998

Telephone: (202) 962-4800
Telefax: (202) 962-8300



Applicant(s): HAGA et al.
Appl. No. 10/069,541

Appendix

Claims as amended:

1. A gene expressed in a cholinergic neuron which encodes a protein having high-affinity choline transporter activity.